

Hazardous Substances Project – External Update 3

Date: April 2014

Who is this for?

This is the third of a series of updates that the Hazardous Substances Project Board are sharing with stakeholders we think will be interested in this project. The aim is to raise awareness of what is happening, and how and when you can get involved. This project is relevant to anyone who discharges pollutants to groundwater, or carries out or regulates any activity that could give rise to such a discharge.

Background

The Hazardous Substances Project Board has representatives from the Scottish Environment Protection Agency, the Republic of Ireland EPA, Natural Resources Wales and the Environment Agency. It has been set up to deliver the following:

- an efficient and effective way of determining which substances are hazardous under the Groundwater Daughter Directive (GWDD), which we will do through JAGDAG¹, which includes representatives from the scientific community, business and industry as well as the Agencies; and
- a common approach for UK and Ireland on how we comply with the 'prevent' requirements of the GWDD and to take account of any environmental and business implications. This means a common approach to how we establish and use environmental standards to identify the need for preventative and restorative work, and how we identify what action is proportionate. This includes how the numerical values are derived and applied for both local-scale and water body-scale impacts.

Determining which substances are hazardous

In 2013, JAGDAG undertook a consultation using the new determination methodology. Eighteen responses were received to this consultation. The results of this consultation (along with findings from the setting environmental standards section of the project) have led to the following actions:

- 1) We will revisit the determination methodology following comments from the consultation, revise it where appropriate and produce determinations for further consultation.
- 2) In light of the above, we will be delaying consultation on proposed new environmental standards to allow us to carry out a joint consultation on all of the following:
 - a) The methodology for determining which substances are hazardous (following the aforementioned review)
 - b) The substances that are therefore proposed as hazardous².
 - c) The approach for compliance
 - d) The standards for compliance

The project external consultation process will now commence in September/October 2014 as opposed to June 2014 as originally planned.

Further information is available on our website at:

<http://www.wfduk.org/stakeholders/jagdag-work-area-0>

¹ Joint Agencies Groundwater Directive Advisory Group – more information is available at <http://www.wfduk.org/stakeholders/jagdag-work-area-0>

² This will be done via a phased approach with 50 substances most commonly encountered being considered in the first instance.

Setting environmental standards for hazardous substances

The standards used currently for protecting groundwater are available on the UK Technical Advisory Group's webpage, along with the consultation response document. Here is the link: <http://www.wfduk.org/stakeholders/phase-3-environmental-standards-stakeholder-review-201213>

Consultation on these standards (in 2012) highlighted a lack of clarity about how these standards have been set and are being used and so we will use this project to engage on how future standards are set.

Since the last update, we along with internal and external critical friends³ have been considering options that may be put forward for consultation. We are continuing discussions between the respective agencies and the national administrations to ensure a consistent approach across the UK and Ireland. A workshop between the Scottish Government, Defra, Welsh Government and the Irish Department of the Environment will be held in June 2014 with this in mind.

Once complete, we will develop the selected options and complete further internal and external critical friend consultations. Following this, an external consultation will take place in September/October 2014. An economic appraisal will also be completed prior to any final project decision making.

We have set up a website summarising the project: <http://www.wfduk.org/stakeholders/mrv-work-area>

If you would like to be updated, perhaps submit data and be able to comment on proposed standards please contact MRVs_England@environment-agency.gov.uk

³ Our Critical Friends are members of JAGDAG, who represent the agencies, industry and public health organisations.